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17 UNITED STATES DISTRICT COURT

18 NORTHERN DISTRICT OF CALIFORNIA

19 OAKLAND DIVISION

20 EDUARDO I.T., EDWIN E.I.I., Ignacio P.G.,) CASE NO. 4:22-cv-05333-DMR
21 Leonel Y.P.G., a minor child, Benjamin J.R.,)
and William A.J.M.)
22 Plaintiffs,)
23 v.)
24 UNITED STATES OF AMERICA,)
25 Defendant.)
)

The parties, by and through undersigned counsel, hereby notify the Court that Plaintiffs Eduardo I.T. and Edwin E.I.I. (“the I.T. Plaintiff Family”), Benjamin J.R. and William A.J.M. (“the J.R. Plaintiff Family”), and Defendant have reached a conditional settlement in this action under the Federal Tort Claims Act, 28 U.S.C. § 2671, et seq. The parties stipulate and request that all deadlines in the Court’s Orders dated **May 17, 2023 (Dkt. 48)** and **February 28, 2024 (Dkt. 73)** be vacated and the action be stayed as to the I.T. Plaintiff Family and the J.R. Plaintiff Family, based on the following:

1. The parties have reached conditional settlements of all of the I.T. Plaintiff Family's and the J.R. Plaintiff Family's claims in this litigation.

2. Absent a stay pending finalization of the settlement, litigation burden and expense will be incurred that are to be made unnecessary by the pending settlement.

3. The parties stipulate to file a joint status report every 60 days during the stay to keep the Court apprised of the progress of the pending settlements for the I.T. Plaintiff Family and the J.R. Plaintiff Family. It is anticipated that, once the settlements are completed, the parties will file a stipulation for dismissal of all claims as to the I.T. Plaintiff Family and the J.R. Plaintiff Family.

4. The parties previously reached a conditional settlement as to the claims of Plaintiffs Ignacio P.G. and Leonel Y.P.G. (“the P.G. Plaintiff Family”), and the Court previously stayed the case deadlines as to the P.G. Plaintiff Family. *See* Dkt. 75. The present request reflects that the parties have now reached conditional settlements as to all Plaintiffs’ claims in this matter.

Therefore, in the interest of judicial economy and efficiency, and to preserve the benefit of the pending settlements, the parties request that the Court enter the attached order vacating all deadlines in the Court's Orders dated **May 17, 2023 (Dkt. 48)** and **February 28, 2024 (Dkt. 73)** as to the I.T. Plaintiff Family and the J.R. Plaintiff Family, and stay this action as to the I.T. Plaintiff Family and the J.R. Plaintiff Family pending further stipulation or motion of the parties or Order of the Court.

DATED:

Respectfully submitted,

PILLSBURY WINTHROP SHAW PITTMAN LLC

By: /s/ Dustin Chase-Woods
Dustin Chase-Woods
Blaine J. Green

**JOINT NOTICE OF CONDITIONAL SETTLEMENT
4:22-CV-05333-DMR**

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LAWYERS' COMMITTEE FOR CIVIL RIGHTS
OF THE SAN FRANCISCO BAY AREA

Victoria Petty
Jordan Wells

Counsel for Plaintiffs

DATED:

Respectfully submitted,

ISMAIL RAMSEY
United States Attorney

/s/ Kenneth W. Brakebill

Kenneth W. Brakebill
Kelsey J. Helland
Assistant United States Attorneys

*Counsel for the United States of
America*

ATTORNEY ATTESTATION

I hereby attest, pursuant to Local Rule 5-1(i)(3), that I obtained the concurrence in the filing of this document from the signatories indicated by the conformed signature (/s/).

/s/ Kenneth W. Brakebill

Kenneth W. Brakebill

1 [PROPOSED] ORDER
2

3 Pursuant to stipulation, IT IS SO ORDERED that because the parties have reached a conditional
4 settlement of the I.T. Plaintiff Family's and the J.R. Plaintiff Family's claims in this litigation,

- 5 1. All deadlines in the Court's Orders dated May 17, 2023 (Dkt. 48) and February 28, 2024
6 (Dkt. 73) as to the I.T. Plaintiff Family and the J.R. Plaintiff Family are hereby vacated.
7 2. This action is stayed as to the I.T. Plaintiff Family and the J.R. Plaintiff Family pending
8 further stipulation or motion of the parties or Order of the Court.
9 3. The parties shall file a joint status report within sixty (60) days of the entry of this Order, and
10 every sixty (60) days thereafter, in which they shall keep the Court apprised of the progress
11 of the pending settlement.

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13 DATED: _____

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15 HON. DONNA M. RYU
16 Chief Magistrate Judge
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